

### **REMARKS**

The Examiner is thanked for the thorough examination of the present application. The Office Action mailed May 21, 2007 rejected claims 1-11, 13-22, 35-44, 47-56, and 59-66. This is a full and timely response to that outstanding Office Action. Upon entry of the amendments in this response, claims 1-11, 13-22, 35-44, and 47-56 are pending. More specifically, claims 1, 13, 35, and 47 are amended and claims 59-66 are canceled. Claims 63-66 are canceled without prejudice, waiver, or disclaimer. Applicant takes this action merely to reduce the number of issues and to facilitate early allowance and issuance of the present application. Applicant reserves the right to pursue the subject matter of these canceled claims in a continuing application, if Applicant so chooses, and does not intend to dedicate any of the canceled subject matter to the public. These amendments are specifically described hereinafter.

#### **I. Present Status of Patent Application**

Claims 63-66 are objected to as allegedly being dependent upon a rejected base claim but allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claims 1, 13, 35, and 47 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Loucks* (U.S. Patent No. 6,760,412) in view of *Langsenkamp* (U.S. Patent No. 6,556,664). Claims 1-5, 8-11, 13-22, 35-44, 47-56, and 59-62 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Loucks* (U.S. Patent No. 6,760,412) in view of *Chandra, et al.* (U.S. Publication No. 2002/0138582) in further view of *Langsenkamp* (U.S. Patent No. 6,556,664). Claims 6

and 7 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Loucks* (U.S. Patent No. 6,760,412) in view of *Chandra, et al.* (U.S. Publication No. 2002/0138582) in further view of *Langsenkamp* (U.S. Patent No. 6,556,664) in further view of *Hogan* (U.S. Patent No. 5,646,982). To the extent that these rejections have not been rendered moot by the cancellation of claims, they are respectfully traversed.

### **III. Rejections Under 35 U.S.C. §103(a)**

#### **A. Claims 1-11**

The Office Action rejects claims 1-5 and 8-11 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Loucks* (U.S. Patent No. 6,760,412) in view of *Chandra, et al.* (U.S. Publication No. 2002/0138582) in further view of *Langsenkamp* (U.S. Patent No. 6,556,664). The Office Action rejects claims 6 and 7 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Loucks* (U.S. Patent No. 6,760,412) in view of *Chandra, et al.* (U.S. Publication No. 2002/0138582) in further view of *Langsenkamp* (U.S. Patent No. 6,556,664) in further view of *Hogan* (U.S. Patent No. 5,646,982).

Applicant respectfully submits that the amendments to claim 1 have rendered the rejection moot. Applicant respectfully submits that independent claim 1 is allowable for at least the reason that claim 1 has been amended to include claim 63, which the Examiner has indicated as allowable. As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 1, the rejection should be withdrawn for at least that reason.

For at least the reason that independent claim 1 is allowable over the cited references of record, dependent claims 2-11 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that dependent claims 2-11 contain all the features of independent claim 1. See *Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002); *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir. 1989). Therefore, the rejection to claims 2-11 should be withdrawn and the claims allowed.

Additionally, with regard to the rejection of claims 6 and 7, *Hogan* does not make up for the deficiencies of *Loucks*, *Chandra*, and *Langsenkamp* noted above. Therefore, claims 6 and 7 are considered patentable over any combination of these documents for at least the reason that claims 6 and 7 incorporate allowable features of claim 1 as set forth above.

B. Claims 13-22

The Office Action rejects claims 13-22 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Loucks* (U.S. Patent No. 6,760,412) in view of *Chandra, et al.* (U.S. Publication No. 2002/0138582) in further view of *Langsenkamp* (U.S. Patent No. 6,556,664).

Applicant respectfully submits that the amendments to claim 13 have rendered the rejection moot. Applicant respectfully submits that independent claim 13 is allowable for

at least the reason that claim 13 has been amended to include claim 64, which the Examiner has indicated as allowable. As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 13, the rejection should be withdrawn for at least that reason.

For at least the reason that independent claim 13 is allowable over the cited references of record, dependent claims 14-22 (which depend from independent claim 13) are allowable as a matter of law for at least the reason that dependent claims 14-22 contain all the features of independent claim 13. Therefore, the rejection to claims 14-22 should be withdrawn and the claims allowed.

C. Claims 35-44

The Office Action rejects claims 35-44 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Loucks* (U.S. Patent No. 6,760,412) in view of *Chandra, et al.* (U.S. Publication No. 2002/0138582) in further view of *Langsenkamp* (U.S. Patent No. 6,556,664).

Applicant respectfully submits that the amendments to claim 35 have rendered the rejection moot. Applicant respectfully submits that independent claim 35 is allowable for at least the reason that claim 35 has been amended to include claim 65, which the Examiner has indicated as allowable. As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 35, the rejection should be withdrawn for at least that reason.

For at least the reason that independent claim 35 is allowable over the cited references of record, dependent claims 36-44 (which depend from independent claim 35) are allowable as a matter of law for at least the reason that dependent claims 36-44 contain all the features of independent claim 35. Therefore, the rejection to claims 36-44 should be withdrawn and the claims allowed.

D. Claims 47-56

The Office Action rejects claims 47-56 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Loucks* (U.S. Patent No. 6,760,412) in view of *Chandra, et al.* (U.S. Publication No. 2002/0138582) in further view of *Langsenkamp* (U.S. Patent No. 6,556,664).

Applicant respectfully submits that the amendments to claim 47 have rendered the rejection moot. Applicant respectfully submits that independent claim 47 is allowable for at least the reason that claim 47 has been amended to include claim 66, which the Examiner has indicated as allowable. As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 47, the rejection should be withdrawn for at least that reason.

For at least the reason that independent claim 47 is allowable over the cited references of record, dependent claims 48-56 (which depend from independent claim 47) are allowable as a matter of law for at least the reason that dependent claims 48-56 contain all the features of independent claim 47. Therefore, the rejection to claims 48-56 should be withdrawn and the claims allowed.

### III. **Miscellaneous Issues**

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

**CONCLUSION**

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-11, 13-22, 35-44, and 47-56 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

It is believed that no extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account No. 20-0778.

Respectfully submitted,

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